

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

YESHIVA GEDOLA NA'OS YAAKOV, INC.,
a New Jersey nonprofit corporation, and
ZEBRA HOLDINGS II LLC, a New Jersey
Limited Liability Company,

Plaintiffs,

vs.

TOWNSHIP OF OCEAN, N.J. and ZONING
BOARD OF ADJUSTMENT OF THE
TOWNSHIP OF OCEAN,

Defendants.

Civil No. 3:16-00096 (FLW) (DEA)

DECLARATION OF
STEPHEN J. CARLIDGE, AIA

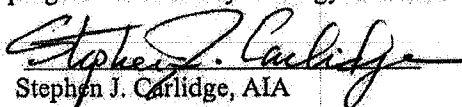
STEPHEN J. CARLIDGE, under penalty of perjury under the laws of the United States of America, does hereby declare and certify pursuant to 28 U.S.C. § 1746 that the following statements are true and correct:

1. I am an architect and principal of Shore Point Architecture, PA, located in Ocean Grove, New Jersey.
2. I have been retained by Zebra Holdings II LLC for the purpose of assisting it in renovating the building located at 1515 Logan Road in Ocean Township for a *yeshiva gedola*.
3. The approximately 17,500 square foot building was constructed in 1958 and is essentially a single-story building. There is, however, a small 928 square foot second story containing two classrooms.

4. The original portion of the building is Type 3B Construction (*e.g.*, masonry walls) and the wing at the southwest corner of the building is actually a Type 5B Construction (*e.g.*, light framing or combustible construction).
5. The Yeshiva's intent is to use the building essentially "as is" by converting all of the classrooms to dormitory rooms and utilizing the larger spaces (gymnasium, multi-purpose room) for the library, instructional space and dining.
6. As the building is used today, it is classified as a Use-Group "E" building because the students are in the 12th grade or below.
7. Once the use is converted to a *yeshiva gedola* it would be changed to a mixed use building containing R-2 and A-3 under the building code because the students are post-high school.
8. The change in use triggers an analysis of the building under the New Jersey Rehabilitation Subcode ("NJRS") (N.J.A.C. 5:23-6), and that determines what has to be done to the building to occupy same.
9. Under the NJRS, the following interior modifications need to be done: a) enhance the restroom facilities (*e.g.* provide the appropriate number of fixtures) to meet the requirements of the proposed new uses which are R-2 and A-3; b) provide accessible restroom facilities; c) modify interior doors to provide required clearances (approximately 50% of the classroom and other interior doors will need to be modified to provide a minimum of 32" clear to meet accessibility requirements); d) update fire alarm to meet current code requirements for proposed new uses R-2 and A-3; e) provide smoke detectors and carbon monoxide detectors for the proposed R-2 use; f) revise, reconfigure, and update the sprinkler system because each use has certain coverage requirements (*e.g.*, distance

- between heads changes by use); g). update the HVAC system to provide the ventilation rates as required by the new uses (e.g., each use has certain ventilation requirements);
10. In addition, we need to make programmatic changes to the interior (e.g., install partitions in some of the existing classrooms and provide a residence suite with a restroom for the faculty advisor who will live on the Property with the rabbinical students.
 11. The Yeshiva will need the following permits prior to the start of construction: a) demolition permit, b) building permit, c) electrical permit, d) plumbing permit, e) mechanical permit and f) energy code compliance approval.
 12. If the Yeshiva files for the necessary permits today to secure approval for the proposed renovations the review process by the Township Building Department should take no more than 20 days pursuant to N.J.A.C. 5:23-2.16.
 13. Once the necessary permits are issued, construction of the proposed improvements will take approximately five months.
 14. The occupancy of the building used as its current use as an elementary school would be a maximum of 359 persons.
 15. The "functional capacity" of the school, which assumes that the capacity of specialized classrooms would not be counted, is a maximum occupancy of 312 persons.
 16. Furthermore, individual rooms in the school, for example the gymnasium, can have a much higher occupancy. The existing gymnasium has a code allowable occupancy of 446 persons. This means that when school is in session, there could be 312 persons in the school and an additional 446 persons could come to a program or assembly in the gymnasium.

Executed on February 2, 2016


Stephen J. Carlidge, AIA